



# LOEB & LOEB LLP

A LIMITED LIABILITY PARTNERSHIP  
INCLUDING PROFESSIONAL CORPORATIONS

345 PARK AVENUE  
NEW YORK, NY 10154-0037

TELEPHONE: 212.407.4000  
FACSIMILE: 212.407.4990  
[www.loeb.com](http://www.loeb.com)



Direct Dial: 212-407-4117  
e-mail: lvasey@loeb.com

September 30, 2004

**VIA FEDERAL EXPRESS**

Neville L. Johnson, Esq.  
Johnson & Rishwain LLP  
12121 Wilshire Boulevard  
Suite 1201  
Los Angeles, California 90025-1175

Re: Quaglia v. NBC et al., No. 04-10460 RWZ (D. Mass.)

Dear Neville:

Enclosed are documents responsive to Plaintiff's subpoenas (Bates labeled DCLAIR 0001 through DCLAIR 0053, and ZANZIBAR 00001 through ZANZIBAR 02140), which are subject to the parties' Confidentiality Agreement.

Available for your inspection are over 100 Beta tapes containing auditions from the first season of *The It Factor*. Please be advised, however, that we do not have the equipment necessary for viewing these tapes.

Yours truly,

Laura M. Vasey  
Loeb & Loeb LLP

Enclosures

cc: Daniel M. Kummer, Esq. (with enclosures)  
Edward H. Rosenthal, Esq. (w/o enclosures and via U.S. Mail)  
Chris Winton Henderson, Esq. (w/o enclosures and via U.S. Mail)